

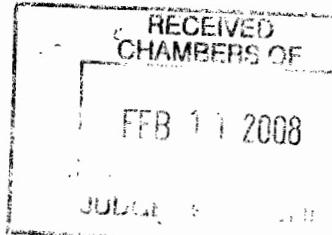
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SENT VIA FAX (212) 805-7920
AND DHL EXPRESS

The Honorable Shira A. Scheindlin
United States Courthouse
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: *Johnson v. New York Presbyterian Healthcare System, Inc.*
Civil Action No. 07-3112

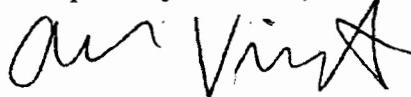
Dear Judge Scheindlin:

I represent Plaintiff in the above-referenced matter. A final pre-trial conference is scheduled to take place before Your Honor tomorrow at 4:30 p.m. I write to respectfully request a brief adjournment of this appearance because I will be required to attend administrative hearing before A.L.J. Polito in the matter of *McCoy v. Internal Revenue Service* tomorrow in Philadelphia, PA which is will begin at 9:00 am. Unfortunately I will be unable to attend tomorrow's hearing before Your Honor and no other attorney in my office will be able to appear in my absence. If Your Honor denies my request for an adjournment, I respectfully request to participate in tomorrow's hearing via telephone. Clare Sproule, counsel for defendant, has consented to a brief continuance and to my appearance via telephone.

As a further update regarding this matter, the parties have been taken substantial steps to resolve this matter, and it is the belief of counsel that this matter may resolve within the next two weeks without the need for further court intervention. I remain available by telephone after 4:00 p.m. today should Your Honor require additional discussion regarding this matter.

Thank you.

Respectfully submitted,



Adam C. Virant

ks/av

cc: Clare M. Sproule, Esq. (via fax 212.661.0989 and hand delivery)

*Plaintiff's request is granted.
The conference previously scheduled for Feb. 12, 2008 is adjourned to Feb. 15, 2008, at 4:30 p.m.*

Date: Feb. 11, 2008

*so ordered:
Shira A. Scheindlin,
USA*